

GOVERNMENT OF TELANGANA
ABSTRACT

Scheduled Castes Development Department –Land Acquisition for House Sites - Manchippa Village, Nizamabad Mandal & District– Acquisition of Land to an extent of Ac.7.09 gts. in Survey Nos283, 284,336 to 340 for providing house sites to the weaker sections – Sanction of Rs.9,52,846/- towards decretal charges in OP No.1145/2002 – Orders - Issued.

SCHEDULED CASTES DEVELOPMENT (BUD.) DEPARTMENT

G.O.RT.No. 442

Dated: 13/11/2015
Read the following:

1. From the Dist Collector, Nizamabad, Lr.No.G2/766/2012, dated: 22.8.2012.
2. From the Commissioner of Social Welfare, A.P., Hyderabad Lr.No.LA2/7517/2012, dated: 13.9.2012.
3. From the Chief Commissioner of Land Administration & Sp. C.S, A.P., Hyderabad Ref.No.SPR3/1110/2012, dated: 27.04.2013.

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ORDER:

In the reference 3rd read above, the Chief Commissioner of Land Administration & Special Chief Secretary to Government, Hyderabad has stated that the Land Acquisition Officer / Revenue Divisional Officer, Nizamabad has acquired land to an extent of Ac.7-09 Gts of patta land classified as Dry in Sy. Nos 283, 284, 336 to 340 situated at Manchippa Village, Nizamabad Mandal for providing house sites to the weaker section people and award passed vide Procs No. B/3942/92, dated: 20.10.1993, duly fixing the land value @ Rs. 9,000/- per acre and paid the land compensation.

2. Aggrieved with the orders of Land Acquisition Officer, the awardees filed protest petition U/s 18 of LA Act for adjudication. The Land Acquisition Officer referred the matter to Civil Court for adjudication. The Hon'ble Court of 1st Addl.District Judge, Nizamabad enhanced the land value from Rs.9,000/- to Rs.35,000/- per acre in O.P.No.1145/2002 on 29.06.2011 with admissible benefits such as 30% Solatium and 12% additional market value and 9% interest for one year and thereafter 15% interest till realization of the amount on three components i.e. market value, 30% Solatium and 12% Addl. Market Value.

3. The Government Pleader, Nizamabad has informed that the Hon'ble Court relied on the judgment passed in OP. No172/88 of acquired land in same Village for the house sites vide notification dated: 04.3.1987, wherein the Court has fixed the compensation at Rs.25,000/- per acre. The Hon'ble Court considering the time gap of 5 years between that notification and the notification issued in the present case, which is on 29.11.1992 fixed the market value in this case at Rs. 35,000/- per acre relying on the judgment of the Apex Court reported in 1992 (4) SCC 659 where in it is held that time lag at 10% per annum should be awarded between the prior notification and the present notification. The Government Pleader for Appeals has opined that though the compensation enhanced by the Court is more than 100%, it is not a fit case to prefer an appeal because the compensation awarded by the Court is based on the award passed in the earlier case pertaining to the same village. The Govt. Pleader for Appeals, High Court of A.P., Hyderabad has opined that he does not find any merit to win the appeal and advised to comply with the orders of the Hon'ble 1st Addl. Dist Judge, Nizamabad.

4. Thereafter, the District Collector, Nizamabad has submitted the proposal for sanction of decretal charges for Rs. 9,58,946/- in O.P. No.1145/2002, for the lands acquired to an extent of Ac.7-09 Gts of patta land classified as Dry in Sy.Nos 283, 284, 336 to 340 situated at Manchippa Village of Nizamabad Mandal and District for providing house sites to weaker section people.

[P.T.O.]

5. After verification and scrutiny of the proposals submitted by the Commissioner of Social Welfare / District Collector, Nizamabad, the Chief Commissioner of Land Administration & Special Chief Secretary to Government, A.P., Hyderabad has sent comparative calculation sheet for sanction of Rs.9,52,846/- (Rupees Nine Lakhs fifty two thousand eight hundred and forty six only) in OP. No.1145/2002, for the lands acquired to an extent of Ac. 7-09 Gts of patta land classified as Dry in Sy.Nos 283, 284, 336 to 340, situated at Manchippa Village of Nizamabad Mandal for providing house sites to weaker section people.

6. Government, after careful examination of the above proposal, hereby accord permission to the Director, SC Development Department, Telangana State, Hyderabad for release of an amount of Rs.9,52,846/- (Rupees Nine lakhs Fifty Two thousand Eight hundred and Forty Six only) to the District Collector, Nizamabad towards payment of decretal charges in OP. No.1145/2002 for the lands acquired to an extent of Ac. 7-09 Gts of patta land classified as Dry in Sy. Nos 283, 284, 336 to 340 situated at Manchippa Village of Nizamabad Mandal for providing house sites to weaker section people.

7. The expenditure sanctioned in para (6) above shall be met within the B.E-2015-16 and debited to the following Head of Account:

“2225-Welfare of Scheduled Castes, Scheduled Tribes and other Backward Classes
– 01 – Welfare of Scheduled Castes – M.H.283- Housing – G.H.11-Normal State
Plan – SH(08) Acquisition of House Sites to weaker sections in Indiramma
Programme – 310/312 – Other Grant – in – Aid”.

8. The Director of Scheduled Castes Development Department, Telangana State Hyderabad is directed to issue necessary Proceedings to the District Collector, Nizamabad to comply with the Court orders in O.P.No.1145/2002.

10. The District Collector, Nizamabad shall verify the calculation sheet submitted by the Land Acquisition Officer once again, before issue of the Proceedings for releasing the amount. If any discrepancy/excess claim is found in the calculation sheet in future, the Land Acquisition Officer shall be held solely responsible.

11. This order issues with the concurrence of Finance (EBS.III) Department, vide their U.O.No.3451/153/A1/EBS.III/2015, dated: 19.3.2015.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF TELANGANA)

BENHUR MAHESH DUTT EKKA
SECRETARY TO GOVERNMENT

To

The Chief Commissioner of Land Administration,
Telangana State, Hyderabad.

The Director of Scheduled Castes Development Department,
Telangana State, Hyderabad.

The District Collector, Nizamabad.

Copy to:

The Director of Treasury & Accounts, Telangana State, Hyderabad,

The Accountant General, Telangana State, Hyderabad,

The District Treasury Officer, Nizamabad District.

SF/SC.

//FORWARDED:: BY ORDER//

SECTION OFFICER